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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ROGAN O'HANDLEY
Plaintiff,
v.
ALEX PADILLA, et. al.,
Defendants.

Case No. 3:21-cv-07063-TSH
CIVIL LOCAL RULE 6-2(a)
STIPULATION AND [PROPOSED]
ORDER REGARDING SCHEDULE
FOR BRIEFING MOTIONS IN
RESPONSE TO THE COMPLAINT
AND FOR INITIAL CASE
MANAGEMENT ACTIVITIES (DKT.
37)

1 Pursuant to Civil Local Rule 6-2(a), the parties hereby jointly stipulate to, and respectfully
2 request the Court's approval of, a briefing schedule for Defendants' initial responsive pleadings or
3 motions and a temporary stay of initial case management deadlines. The reasons for and terms of
4 this stipulated request are as follows.

5 1. On June 16, 2021, Plaintiff Rogan O'Handley filed a complaint in the United States
6 District Court for the Central District of California. Dkt. 1.

7 2. Pursuant to Central District of California Local Rule 8-3, with Plaintiff's consent,
8 Defendants Twitter, SKDKnickerbocker, and National Association of Secretaries of State sought
9 and received a 30-day extension to answer or otherwise respond to the complaint. Dkt. 17, 19, 29.

10 3. In the interest of judicial economy, the parties proposed and, on August 12, 2021, the
11 district court in the Central District of California ordered a consolidated briefing schedule whereby
12 the deadline for all Defendants in this action to file their initial responsive pleadings and/or motions
13 in response to the complaint was September 10, 2021; the deadline for Plaintiff to file his
14 oppositions/responses to any such motions was October 12, 2021; and the deadline for Defendants
15 to file any reply briefs in support of such motions was November 1, 2021. Dkt. 30, 31.

16 4. On September 9, 2021, all parties stipulated to transfer this case to this district. Dkt.
17 34. On September 10, 2021, the district court in the Central District of California ordered that the
18 case be transferred to this district, vacated the foregoing briefing schedule, and directed the parties
19 to "seek to establish a new schedule for filing and briefing of motions to dismiss or other responses
20 to the complaint in accordance with the rules, orders, and practices of the transferee court." Dkt.
21 35 ("Transfer Order").

22 5. On September 14, 2021, the case was transferred to this Court, Dkt. 36, which entered
23 an order setting an initial case management conference and certain other discovery-related
24 deadlines. Dkt. 37 ("Initial Case Management Order").

6. Pursuant to the Transfer Order, the parties have conferred and agreed to the below proposal to provide for an orderly briefing schedule for Defendants' motions or other responses to the complaint:

Defendants' motions/responses to complaint due: Oct. 5, 2021

Plaintiff's Oppositions to Defendants' Motions due: Nov. 5, 2021

Defendants' Replies due: Dec. 1, 2021

7. The parties respectfully request that the deadlines set forth in the Initial Case Management Order be stayed pending the resolution of Defendants' forthcoming motions responding to the complaint.

8. Good cause exists to stay the deadlines set forth in the Initial Case Management Order until the Court rules on the forthcoming motions responding to the complaint. Such a stay will promote judicial economy and save court and party resources that would otherwise be spent litigating issues that the forthcoming motions may moot or reshape. Moreover, any conferral regarding discovery and the case management conference would be far more productive—to the extent necessary—once the parties have clarity as to the scope of the claims, if any, that remain.

See, e.g., Order at 1, *Cortez v. United Natural Foods, Inc.*, 5:18-cv-04603-BLF, ECF No. 31 (N.D. Cal Dec. 14, 2018) (continuing CMC when pending motions will inform “the claims at issue in the litigation, the scope of discovery, the scheduling of discovery ..., and whether the case continues to exist at all”).

Pursuant to Civil Local Rule 6-2(a), Plaintiff and Defendants hereby request that the Court establish the schedule set forth above by approving and so-ordering this stipulation.¹

¹ This order complies with Civil Local Rule 6-1(b), as it does not affect a hearing or proceeding on the Court's calendar scheduled for a date within the next 14 days.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2 Dated: September 30, 2021



3
4 UNITED STATES DISTRICT/~~MAGISTRATE~~
5 JUDGE

6 Dated: September 20, 2021

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